

IN THE UNITED STATES DISTRICT COURT
FOR THE STATE OF NEW MEXICO

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

v.

RAMON ARAGON, *et al.*,

Defendants.

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69cv07941 JEC-ACE

RIO CHAMA STREAM SYSTEM
Section 3: Rio Nutrias, Rio Cebolla
& Canjilon Creek

MOTION TO SET ASIDE ENTRY OF DEFAULT

COMES NOW the plaintiff, State of New Mexico, *ex rel.*, State Engineer, by and through his attorneys and moves the Court to set aside the clerk's entry of default for the following defendants:

Felix Valdez	CHCB-002-0004
Guillermo J. Cova	CHCB-002-0008
Edna Q. Cova	CHCB-002-0008
Gilbert Chacon Trust	CHCB-002-0009
Felipe B. Rivera	CHCB-003-0007
Flora Rivera	CHCB-003-0007

As grounds therefor plaintiff states:

1. The Clerk's Certificate of Default (Docket No. 6489) with respect to the above named defendants was entered on January 16, 2002. Notice of the entry of default was mailed to defendants on January 25, 2002. Since the mailing of the notice of default, the above named defendants have contacted plaintiff, and they have either signed a consent order that would adjudicate their water

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rights by agreement, indicated the intention to sign such an order, or plaintiff has been informed of ownership issues that must be resolved prior to the adjudication of water rights in these subfiles.

WHEREFORE, the plaintiff State of New Mexico requests the Court to set aside the entry of default of the above named defendants.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I certify that the foregoing Motion to Set Aside Entry of Default was mailed to the following persons on February 21, 2002.



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